

PLAINTIFF EXHIBIT 3



The Westchester Bank

2001 Central Park Avenue
Yonkers, New York 10710
p: 914.337.1900
f: 914.961.1802
www.thewestchesterbank.com

October 1, 2012

Mr. Joseph Spiezio
Long Beach Road Holdings
312 Long Beach Road
Island Park, NY

Dear Mr. Spiezio:

As discussed, attached is your flood notification. Please sign where indicated to acknowledge that the property is in a flood zone and flood insurance is required for the loan. Thank you for your assistance.

Sincerely,

Michael Vitale
Commercial Lender
The Westchester Bank
2001 Central Park Avenue
Yonkers, NY 10710

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY
STANDARD FLOOD HAZARD DETERMINATIONSee the attached
instructionsOMB No 1660-0040
Expires December 31, 2011

SECTION I - LOAN INFORMATION

1. LENDER NAME AND ADDRESS: Account Number: 100-0144-039 Address: THE WESTCHESTER BANK 2001 CENTRAL PARK AVE YONKERS, NY 10710 Phone: 914-337-1900 Fax: Loan Officer/Processor: ROBERT GEYER Delivery Method: FDR-COM - WEB		2. COLLATERAL (Building/Mobile Home/Personal Property) PROPERTY ADDRESS (Legal description may be attached): Borrower: LONG BEACH ROAD HOLDINGS Determination Address 312 LONG BEACH RD ISLAND PARK, NY 11558-1510 NASSAU COUNTY APN/Tax ID: Lot: Block: Phase: Subdivision: Section: Township: Range: Requested Address 312 LONG BEACH ROAD ISLAND PARK, NY 11558-	
3. LENDER I.D. NUMBER: 58652	4. LOAN IDENTIFIER: NA	5. AMOUNT OF FLOOD INSURANCE REQUIRED (optional):	

SECTION II


A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY JURISDICTION				
1. NFIP Community Name ISLAND PARK, VILLAGE OF	2. County(ies) NASSAU COUNTY	3. State NY	4. NFIP Community Number 360471	
B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING / MOBILE HOME				
1. NFIP Map Number or Community Panel Number (Community Name, if not the same as "A") 36059C0307G	2. NFIP Map Panel Effective / Revised Date September 11, 2009	3. LOMA / LOMR Yes _____ Date _____	4. Flood Zone AE	5. No NFIP Map
C. FEDERAL FLOOD INSURANCE AVAILABILITY (Check all that apply)				
<input checked="" type="checkbox"/> Federal flood insurance is available (community participates in NFIP). <input checked="" type="checkbox"/> Regular Program <input type="checkbox"/> Emergency Program of NFIP <input type="checkbox"/> Federal flood insurance is not available because community is not participating in the NFIP. <input type="checkbox"/> Building / Mobile Home is in a Coastal Barrier Resources Area (CBRA) or Otherwise Protected Area (OPA). Federal flood insurance may not be available. CBRA/OPA designation date: _____				
D. DETERMINATION				
IS BUILDING / MOBILE HOME IN A SPECIAL FLOOD HAZARD AREA (ZONES CONTAINING THE LETTERS "A" OR "V")? If yes, flood insurance is required by the Flood Disaster Protection Act of 1973. If no, flood insurance is not required by the Flood Disaster Protection Act of 1973.				
		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

E. COMMENTS (Optional)		HMDA Information		Compliance Quick Check	
BFE: 8		State: 36 County: 059 MSA/MD: 35004 CT: 4162.02		Is Flood Insurance Required? YES Is NFIP Insurance Available? YES	
LIFE OF LOAN DETERMINATION					

This flood determination is provided solely for the use and benefit of the entity named in Section 1, Box 1 in order to comply with the 1994 Reform Act and may not be used or relied upon by any other entity or individual for any purpose, including, but not limited to deciding whether to purchase a property or determining the value of a property.

This determination is based on examining the NFIP map, any Federal Emergency Management Agency revisions to it, and any other information needed to locate the building / mobile home on the NFIP map.

F. PREPARER'S INFORMATION (If other than Lender):

NAME, ADDRESS, TELEPHONE NUMBER:	ORDER NUMBER:
 LPS National Flood 1521 N Cooper St Fourth Floor Arlington, TX 76011-5942 Phone: 1.800.833.6347 Fax: 1.800.662.6347	211-5690-965
	DATE OF DETERMINATION:
	October 01, 2012

NOTICE IS GIVEN BY: THE WESTCHESTER BANK
TO: LONG BEACH ROAD HOLDINGS

Loan Number: NA
Order Number: 211-5690-965
Determination Date: 10/01/2012

The Flood Disaster Protection Act of 1973, as amended, requires that Federally regulated lending institutions shall not make, increase, extend, or renew any loan secured by improved real estate, or a mobile home located or to be located, in an area that has been identified by the Director of the Federal Emergency Management Agency (FEMA) as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, through the National Flood Insurance Program (NFIP), unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or the maximum limit of coverage made available under the Act with respect to the particular type of property, whichever is less.

NOTICE TO BORROWER ABOUT SPECIAL FLOOD HAZARD AREA STATUS

☒ Notice of Property in Special Flood Hazard Area (SFHA)

The building or mobile home securing the loan for which you have applied is or will be located in an area with special flood hazards. The area has been identified by the Director of FEMA as an SFHA using FEMA's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM) for the following community: ISLAND PARK, VILLAGE OF - 36059C0307G. FIRM is prepared by FEMA in cooperation with the applicable community to identify high flood risk and low to moderate flood risk areas. This area has at least a one percent (1%) chance of a flood equal to or exceeding the base flood elevation (a 100-year flood) in any given year. During the life of a 30-year mortgage loan, the risk of a 100-year flood in a SFHA is 26 percent (26%). Federal law allows a lender and borrower jointly to request the Director of FEMA to review the determination of whether the property securing the loan is located in an SFHA. If you would like to make such a request, please contact us for further information. [Borrowers may also call a FEMA mapping specialist at (877)336-2627 to discuss their concerns]

☐ Notice of Property Not in Special Flood Hazard Area (SFHA)

The building or mobile home described in the attached instrument is not currently located in an area designated by the Director of FEMA as a SFHA. NFIP flood insurance is not required, but may be available. If, during the term of this loan, the subject property is identified as being in a SFHA, as designated by FEMA, you may be required to purchase and maintain flood insurance at your expense.

NOTICE TO BORROWER ABOUT FEDERAL FLOOD DISASTER ASSISTANCE

☒ Notice in Participating Communities

The community in which the property securing the loan is located participates in the NFIP. The Flood Disaster Protection Act of 1973, as amended, mandates federally insured or regulated lenders to require the purchase of flood insurance on all buildings being financed that are located in SFHA's of communities participating in the NFIP. We will not make you the loan that you have applied for if you do not purchase flood insurance. If you fail to renew flood insurance on the property, Federal law authorizes and requires us to purchase the flood insurance at your expense. The flood insurance must be maintained for the term of the loan.

* Flood insurance coverage under the NFIP may be purchased through an insurance agent who will obtain the policy either directly through the NFIP or through an insurance company that participates in the NFIP. Flood insurance also may be available from private insurers that are not federally backed.

* At a minimum, the flood insurance purchased must cover the lesser of:

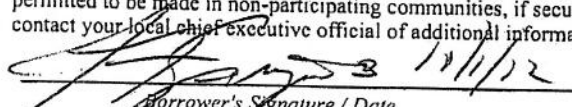
- (1) the outstanding principal balance of the loan(s); or
- (2) the maximum amount of coverage allowed for the type of building under the NFIP; or
- (3) the full replacement cost value (RCV) of the building and/or contents securing the loan. The market value or land value on which the building is located has no bearing on the RCV of the building.

Flood insurance coverage under the NFIP is limited to the overall value of the property securing the loan minus the value of the land on which the property is located. If the property is affected by Coastal Barrier Resources Area (CBRA) or Otherwise Protected Area (OPA) restrictions or has been designated as Section 1316 under the NFIP, federal flood insurance may not be available.

* Federal disaster relief assistance, the majority of which is in the form of a low interest disaster assistance loan from the Small Business Administration (SBA), may be available for losses not covered by your flood insurance policy. Flood insurance requirements apply to recipients of Federal disaster assistance grants and SBA disaster assistance loans. If you are planning to build a structure or make repairs, contact the local community's chief executive official to determine building standards for structures within an SFHA.

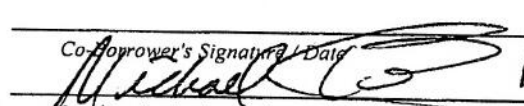
☐ Notice in Non-participating Communities

The community in which the property securing the loan is located, does not participate in the National Flood Insurance Program (NFIP). Federal flood insurance is not available. Private flood insurance may be available on a limited basis in the SFHA's of non-participating communities. Federal financial assistance including disaster assistance grants or loans and flood mitigation grants are not available in SFHA's of non-participating communities. For example, if the non-participating community has been identified for at least one year as containing an SFHA, properties located in the community will not be eligible for Federal disaster relief assistance in the event of a federally declared flood disaster. Conventional loans, loans that are not Federally backed can be made on buildings in SFHA's of non-participating communities if authorized by the regulatory authority of the lending institution. However, government guaranteed or insured loans (e.g., SBA, VA and FHA loans) are not permitted to be made in non-participating communities, if secured by structures in SFHA's. A non-participating community can join the NFIP-- contact your local chief executive official for additional information.

 10/1/12
Borrower's Signature / Date

THE WESTCHESTER BANK

Lending Institution

 10/1/12
Lending Institution Authorized Signature / Date

CertMap®

Account # 100-0144-039

Order # 211-5690-965

Date: 10/01/2012

Property Address: 312 LONG BEACH RD
ISLAND PARK, NY 11558-1510

Flood Zone: AE

Is Federal Flood Insurance
required for this property?

YES

Is Federal Flood Insurance
available for this property?

YES

Description: LPS National Flood provides this aerial CertMap image to valued customers. To obtain a free flood insurance quote, contact your trusted insurance agent or the quality provider listed below.

Additional Resources: To obtain a quote for NFIP Flood Insurance, simply call: Flood Insurance Services, Ltd.
Toll-free: 888-824-0799, or Email: FIS@floodsvcs.com
They will provide a free insurance quote.



NO MAP IMAGE AVAILABLE

An aerial view is not available for this property address.

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